Case 3:23-cv-00332-DB Document 4 Filed 10/12/23 Page 1 of 3 October 12

CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS

BY: Javier Martinez
DEPUTY

### UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS EL PASO DIVISION

MANUEL GUADIAN, § § § Plaintiff, § § v. UNIQ CREDIT SOLUTIONS LLC § a Delaware Limited Liability Company § EP-23-CV-0332-DB and DEBT MANAGE SOLUTIONS LLC § § § § § a California Limited Liability Company § Defendants.

#### PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

With Defendant DEBT MANAGE SOLUTIONS LLC neither having answered nor filed a motion to dismiss or for summary judgment, Plaintiff Manuel Guadian, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), hereby dismisses this action against DEBT MANAGE SOLUTIONS LLC without prejudice, with each party to bear its own costs, attorneys' fees, and other fees. *See, e.g.*, *Bailey v. Shell Western E&P, Inc.*, 609 F.3d 710, 719 (5th Cir. 2010) (holding the plaintiff has an "absolute right" to a Rule 41(a)(1) dismissal, which right "may not be extinguished or circumscribed by adversary or court") (internal quotation marks and citations omitted).

Dated: October 12, 2023, Respectfully submitted,

Manuel Guadian (*Pro Se*) 3805 Tierra Fiji Ln

El Paso, TX 79938

e-Mail: maguadianir@gmail.com

Case 3:23-cv-00332-DB Document 4 Filed 10/12/23 Page 2 of 3

RECEIVED
October 12, 2023
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

Javier Martinez

DEPUTY

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS EL PASO DIVISION

	§	
MANUEL GUADIAN,	§	
	§	
Plaintiff,	§	
,	§	
<b>v.</b>	§	
	§	
UNIQ CREDIT SOLUTIONS LLC	§	
a Delaware Limited Liability Company	8	EP-23-CV-0332-DB
and DEBT MANAGE SOLUTIONS LLC	8	
a California Limited Liability Company	§	
, ,	§	
	§	
	§	
Defendants.	8	
	§	
	Ü	

## [PROPOSED] ORDER GRANTING DISMISSAL WITHOUT PREJUDICE

Upon consideration of Plaintiff's Motion for Voluntary Dismissal, the Court has determined that the Motion should be, and hereby is, **GRANTED** and this action be **DISMISSED** without prejudice.

### IT IS SO ORDERED.

Dated:, 2023	
	Hon. Kathleen Cardone
	U.S. District Judge

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS EL PASO DIVISION

§	
§	
§	
§	
§	
§	
§	
§	
§	EP-23-CV-0332-DB
§	
§	
§	
§	
§	
§	
§	
	<i>S</i>

# **CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2023, I caused a true copy of the foregoing, PLAINTIFF'S

# NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE to be served via

electronic mail on all counsel of record.

Dated: October 12, 2023, Respectfully submitted,

Manuel Guadian (Pro Se)

3805 Tierra Fiji Ln El Paso, TX 79938

e-Mail: maguadianjr@gmail.com